

Statement of Rep. James A. Leach
Chairman, Subcommittee on Asia and the Pacific
Hearing on “The North Korean Human Rights
Act of 2004: Issues and Implementation”
April 28, 2005

On behalf of the Committee, I am pleased to convene this hearing jointly with Chairman Smith, a longstanding champion of human rights and refugee protection, and one of the motive forces behind the North Korean Human Rights Act. We greatly appreciate Assistant Secretary Dewey, Ambassador DeTrani and Ms. Birkle making themselves available today. We look forward to their testimony and to our panel of NGO experts.

The record established during the past three years amply demonstrates the dire circumstances facing the people of North Korea. Inside that country, they suffer at the hands of a totalitarian dynasty that permits no dissent, and brutally curtails freedoms of speech, press, religion, and assembly. The many thousands of North Koreans hiding outside of North Korea – particularly women and girls – are uniquely vulnerable and exploited, especially inside China. Since the collapse of the centralized agricultural system in the 1990s, more than 2,000,000 North Koreans are estimated to have died of starvation. Congressional concern about these crises culminated in the enactment last October of the North Korean Human Rights Act of 2004, which is now U.S. Public Law 108-333.

We welcome the international attention these issues have garnered since the passage of the Act. Most recently, two weeks ago in Geneva, the United Nations Commission on Human Rights passed its second resolution on North Korea in as many years. Although these issues did not figure prominently in public discourse a mere few years ago, it is no longer philosophically or morally plausible for any nation to remain silent in the face of the documented privations and depredations being suffered today by the people of North Korea.

For the benefit of our friends overseas, I would like to reaffirm that the motivations for the North Korean Human Rights Act were (and are) solely humanitarian, not geostrategic. The law is not a pretext for a hidden strategy to provoke North Korean collapse, or to seek collateral advantage in ongoing negotiations. The promotion of human rights and refugee protections for North Koreans is not a partisan issue in the United States. It is embraced by Members with divergent views about how best to address the strategic challenges posed by North Korea. Put simply, while each of us as individuals may not be, the North Korean Human Rights Act is agnostic about regime change, but emphatic about behavior change. We genuinely hope for the opportunity to recognize improvements in the future.

I also want to emphasize that one of the primary aims of the Act is humanitarian burden-sharing, particularly in terms of refugee assistance and resettlement. In recent weeks, South Korean officials have asked me whether the United States is serious about assisting

in the resettlement of North Korean refugees. Comparing our past inaction to South Korea's investment in resettling more than 6,000 North Koreans, I can understand their skepticism. But in light of the Act, I trust that the consistent answer of U.S. officials confronted with similar questions must now be an emphatic "yes." That decision has been made; the issue at hand is the challenging question of how to give it effect. Because South Korean cooperation will be important to our own efforts to assist North Korean refugees, the United States cannot afford any misunderstandings regarding our desire to assist with those exigencies.

In conclusion, it must be understood that the Congress did not intend the North Korean Human Rights Act as a rhetorical exercise. The law was enacted to promote respect for human rights, transparency in the delivery of humanitarian aid, and protection for North Korean refugees. It granted considerable discretion to Executive Branch agencies in pursuing those ends. Our task this afternoon is to discern how that discretion has been exercised to date, and what the prospects are for progress in the future. With that in mind, I look forward to the testimony of our witnesses.